



## **Board of Zoning Appeals**

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

**JANUARY 8, 2018**

**9:30**

**Calendar No. 17-350:**

**3970 Lee Road**

**Ward 1**

**Joseph T. Jones**

**20 Notices**

Lee Road Baptist Church, owner, proposes to erect a 4 feet 10 inches by 7 feet 10 inches single faced illuminated identification message center ground sign that will be 7 feet 10 inches tall in a G1 Local Retail Business District. The owner appeals for relief from the strict application of Section 350.14(a)(h) of the Cleveland Codified Ordinances which states that automatic changeable copy signs shall be permitted in a Local Retail District only if the Board of Zoning Appeals grants a variance in accordance with the following standards:

(1) The Board of Zoning Appeals determines that the proposed sign will not adversely impact the character of nearby properties and will not cause disturbances to users of those properties.

(2) The design and placement of the sign has been approved by the City Planning Commission or Landmarks Commission, as applicable, in accordance with the general design guidelines established for use by each Commission.

(3) Each display of information shall remain static or fixed for a minimum of twenty (20) seconds, thereby prohibiting flashing, scrolling, animated or other copy that gives the appearance of motion, unless the City Planning Commission or Landmarks Commission, as applicable, determines that animated or more frequently changing displays can be accommodated in a particular location without causing disturbances to nearby properties.

(Filed November 29, 2017)

**9:30**

**Calendar No. 17-361:**

**5804 Denison Ave.**

**Ward 14**

**Jasmine Santana**

**19 Notices**

Fulton Denison LLC., owner, proposes to construct a parking lot in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b)(4) which states that a Parking lot in a Local District shall meet section 349.13(c) requirements and requires BZA approval.
2. Section 349.13(c) states that the Board of Zoning Appeals may permit, temporarily or permanently, the use of land in Local Retail Business District for a parking lot when the best interests of the community will be serviced, and provided than:

- The lot is to be used only for the parking of passenger automobiles of employees, customers or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance,
  - No charge is to be made for parking on the lot.
  - The lot is not to be used for sales, repair work or servicing of any kind.
  - Entrance to and exit from the lot are to be located so as to do the least harm to the residence district.
  - No advertising sign or material is to be located on the lot.
  - All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board.
  - The parking lot and that portion of the driveway back of the building line are to be adequately screened from the street and from adjoining property in a Residence District by a hedge, slightly fence or wall not less than four feet six inches high and not more than five feet high located back of the setback building line. All lightening is to be arranged so that there will be no glare than is annoying to the occupants of adjoining property in a Residence District, and the surface of the parking lot is to be smoothly graded, hard surfaced and adequately drained; 4' high coated chain link fence is proposed within front setback and at back of setback.
  - The building permit number under which the lot is established is to be posted;
  - Such other and further conditions may be imposed as the Board may deem necessary in any specific case to reduce the adverse effect of the proximity of a parking lot upon the character, development and maintenance of the Residence District in which the parking lot is to be located.
3. Section 349.07 which states that all accessory off-street parking spaces shall be provided with wheel or bumper guards that are so located that no part of a parked vehicle will extend beyond such parking spaces.
  4. Sections 352.09 through 352.11 which state that an 8 foot wide transition strip is required where parking lot is adjacent to residential and a 1 foot wide transition strip is proposed.
  5. Section 349.07 which states that parking space and maneuvering areas shall be hard surfaced and properly drained. (Filed December 4, 2017)

**9:30**

**Calendar No. 17-375:**

**2819 Monroe Ave.**

**Ward 3**

**Kerry McCormack**

**8 Notices**

T.H. & D.P. Investments LLC., owner, proposes to erect a second floor room addition attached to existing single family residence in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area shall not exceed 50% of the lot area or in this case 1,650 square feet would be permitted and the appellant is proposing 1,819 square feet.
2. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot and the appellant is proposing 8 feet 6 inches and 8 feet 3 inches.

3. Section 357.09(b)(2)(B) which states that the total width of both required interior side yards on same premises shall not be less than 10 feet and the appellant is proposing 3 feet and 3 feet 6 inches.
4. Section 357.09(b)(2)(B) which states that the required interior side yard is 5.55 feet and the appellant is proposing 3 feet and 3 feet 6 inches. (Filed December 21, 2017)

**POSTPONED FROM DECEMBER 11, 2018**

**9:30**

**Calendar No. 17-344:**

**598 East 185 Street**

**Ward 8**

**Michael D. Polensek**

**16 Notices**

Joe Zawatski, owner, proposes to add use of motor vehicle service or repair garage and motor vehicle sales facility to existing, nonconforming car wash in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that Motor vehicle service garage and motor vehicle sales facility are not permitted in Local Retail Business District but first permitted in General Retail Business District and must meet the requirements of Section 343.14. To perform major repairs is first permitted in a Semi-Industry District, and must be at least 100 feet from a Residential District.
2. Section 352.07(b) which states that nonconformities in landscaping may continue only if approved by the Board of Zoning Appeals. Property is nonconforming in landscaping due to the absence of a 6 foot wide frontage landscape strip screening parking lot from street, and a 10 foot wide landscape transition strip providing 75% year round opacity where use abuts a residential district, per Sections 352.08 through 352.12. (Filed November 8, 2017-No Testimony)FIRST POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW FOR FURTHER REVIEW.